## IN THE UNITED STATES DISTRICT COURT FILED FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION FILED 2 9 2008

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KEITH M. BELL,	)
Plaintiff,	) Case No. 2:07CV00061
v.	) JUDGMENT
COMMISSIONER OF SOCIAL SECURITY,	<ul><li>) By: James P. Jones</li><li>) Chief United States District Judge</li></ul>
Defendant.	) )

It appearing that no objections have been timely filed to the Report filed September 9, 2008, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

- 1. The Report and its findings and recommendations are wholly ACCEPTED and APPROVED;
  - 2. The motions for summary judgment by the parties are DENIED;
- 3. The final decision of the Commissioner of Social Security is VACATED and this action is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration in accord with the Report; and
  - 4. The clerk will close this case.

ENTER: September 29, 2008

Chief United States District Judge